

III. NATURE OF ALLEGED VIOLATION

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Include the specific law(s) or rule(s) alleged to have been violated. YOU MUST ALLEGE A VIOLATION OF A LAW THAT IS WITHIN THE COMMISSION'S JURISDICTION. The Texas Ethics Commission has jurisdiction to enforce only the following laws: (1) Title 15 of the Election Code; (2) Chapters 302, 303, 305, 572 and 2004 of the Gov't Code; (3) § 334.025 and § 335.055 of the Local Gov't Code; (4) Chapter 159 of the Local Gov't Code, in connection with a county judicial officer who elects to file a financial statement with the commission; and (5) § 2152.064 and § 2155.003 of the Gov't Code.

*Please completely fill out this form.
Failure to complete this form properly will cause your complaint to be noncompliant and returned.*

Starr County Treasurer Romeo Gonzalez was elected to office in 2018, defeating a challenger in the March 6, 2018 Democratic Primary before being elected in November 2018. However, until August 1, 2022, he had no Campaign Treasurer Appointment on file (as required by Election Code 252.001), has made expenditures without a campaign treasurer on file (in violation of Election Code 253.031(a)), has continually failed to file campaign finance reports (in violation of Election Code 254.041(a)(1)) and has failed to properly report details of his single reported expenditure (in violation of Election Code 254.031).

Prior to August 1, 2022, the Starr County Elections Administrator did not have a campaign treasurer appointment or any campaign finance reports relating to Gonzalez's electoral activity (see Texas Election Code 252.005). On August 1, 2022, Gonzalez used the wrong form (AJCTA) to designate a campaign treasurer.

In the 2018 Democratic primary, Gonzalez defeated Fernando Pena. During that race, Gonzalez purchased signs reading "Elect Romeo Gonzalez" and featuring a legally deficient disclosure statement reading "political ad paid for by the candidate". This expenditure was never properly reported, as evidence by the fact that Gonzalez filed no campaign finance reports prior to August 1, 2022. This indicates a failure to comply with Election Code Sections 254.063 and 254.064.

Since his election, Gonzalez has not filed semi-annual reports required by law. Within the previous two years, he has failed to file reports in January 2021, July 2021, or January 2022 (as required by Election Code 254.063). He did not timely file a semi-annual report in July 2022.

His first campaign finance report was filed on August 1, 2022 and purports to cover a period from January 1, 2022 through July 15, 2022. The only expenditure on that report was a printing expenditure in the amount of \$350. However, Gonzalez did not indicate the date of the expenditure, the name of the payee, or the address of the payee as required by law.

Election Code 254.031(a)(3) requires a candidate to report the amount of political expenditures that in the aggregate exceed \$100 and that are made during the reporting period, the full name and address of the persons to whom the expenditures are made, and the dates and purposes of the expenditures.

Therefore, I allege the following statutory violations within the preceding two years:

1. Making expenditure without campaign treasurer on file (Election Code 252.001)
2. Failure to file July 2020 semi-annual report (Election Code 254.063)
3. Failure to file January 2021 semi-annual report (Election Code 254.063)
4. Failure to file July 2021 semi-annual report (Election Code 254.063)
5. Failure to file January 2022 semi-annual report (Election Code 254.063)
6. Failure to timely file a July 2022 semi-annual report (Election Code 254.063)
7. Failure to include date of his campaign expenditure, as well as the full name and address of the person to whom the expenditure was made, on his only campaign finance report (Election Code (254.031(a)(3))

ATTACH ADDITIONAL PAGES AS NEEDED

IV. STATEMENT OF FACTS

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You must state the facts constituting the alleged violation(s), including the dates on which or the period of time in which the alleged violation(s) occurred. Identify allegations of fact not personally known to you, but alleged on information and belief. Use simple, concise, and direct statements. You must state facts that, if true, would constitute a violation of a law within the Commission's jurisdiction and allege facts to sufficiently indicate the manner and means by which each alleged violation occurred.

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Starr County Treasurer Romeo Gonzalez was elected to office in 2018, defeating a challenger in the March 6, 2018 Democratic Primary before being elected in November 2018. However, he until August 1, 2022, he had no Campaign Treasurer Appointment on file (as required by Election Code 252.001), has made expenditures without a campaign treasurer on file (in violation of Election Code 253.031(a)), has continually failed to file campaign finance reports (in violation of Election Code 254.041(a)(1)) and has failed to properly report details of his single reported expenditure (in violation of Election Code 254.031)..

Prior to August 1, 2022, the Starr County Elections Administrator did not have a campaign treasurer appointment or any campaign finance reports relating to Gonzalez's electoral activity (see Texas Election Code 252.005).

In the 2018 Democratic primary, Gonzalez defeated Fernando Pena. During that race, Gonzalez purchased signs reading "Elect Romeo Gonzalez" and featuring a legally deficient disclosure statement reading "political ad paid for by the candidate". This expenditure was never properly reported, as evidence by the fact that Gonzalez filed no campaign finance reports prior to August 1, 2022. This indicates a failure to comply with Election Code Sections 254.063 and 254.064.

On March 8, 2022, a Public Information Request seeking Gonzalez's campaign treasurer appointment and campaign finance reports was filed with the Starr County Elections Administrator. On May 18, 2022, the Starr County Elections Administrator indicated that the office was not in possession of any responsive documents.

Since his election, Gonzalez has not filed semi-annual reports required by law. Within the previous two years, he has failed to file reports in January 2021, July 2021, or January 2022 (as required by Election Code 254.063). He did not timely file a semi-annual report in July 2022.

Gonzalez filed his first designation of a campaign treasurer (using the wrong Form AJCTA) on August 1, 2022. The same day he filed his first (and final) campaign finance report. The report purports to cover a period from January 1, 2022 through July 15, 2022. The only expenditure on that report was a printing expenditure in the amount of \$350. However, Gonzalez did not indicate the date of the expenditure, the name of the payee, or the address of the payee as required by Election Code (254.031(a)(3)).

ATTACH ADDITIONAL PAGES AS NEEDED

V. LISTING OF DOCUMENTS AND OTHER MATERIALS

You must list all documents and other materials filed with this complaint. Additionally, list all other documents and other materials that are relevant to this complaint and that are within your knowledge, including their location, if known. Relevant documents that are available to you or in your possession must be included.

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Exhibits:

Photo of political sign advocating election of Respondent in 2018 and featuring legally deficient disclosure statement.

March 8, 2022 Public Information Request by T. Trevino seeking statutorily required reports, and May 18, 2022 response that no such documents are maintained by the filing authority.

August 1, 2022 designation of campaign treasurer using improper Form AJCTA.

August 1, 2022 campaign finance report using improper form JC/OH and including legally deficient expenditure of \$350.

ATTACH ADDITIONAL PAGES AS NEEDED